IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

CRP.No. 1125 of 1998(F)

(AGAINST ORDER OF THE TALUK LAND BOARD MANNARKKAD IN CC.758/1976 DATED 20/05/1998)
.....

PETITIONER:CLAIMANT:PETITIONER:

K.KRISHNAKUMARA MENON,
PONNUMKALAM,
PARAL AMSOM AND DESOM,
THOOTA P.O.,
PERINTHALMANNA TALUK.

BY ADV. SRI.U.K.RAMAKRISHNAN
SRI.P.V.LOHITHAKSHAN

RESPONDENTS: STATE:RESPONDENTS:
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1. **STATE OF KERALA,**
REPRESENTED BY THE CHIEF SECRETARY,
THIRUVANANTHAPURAM.

2. **THE TALUK LAND BOARD,**
PERINTHALMANNA,
MALAPPURAM DISTRICT.

3. **THE TAHASILDAR,**
PERINTHALMANNA,
MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKAN

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON C.M.P.NO.2241/1998 IN C.R.P.NO.1125/1998

DISMISSED

3/07/2007 **SD/- PIUS C.KURIAKOSE, JUDGE**

/TRUE COPY/

Kss

PIUS C. KURIAKOSE, J.

C.R.P. No. 1125 OF 1998

Dated this the 3rd day of July, 2007

O R D E R

Sri.U.K. Ramakrishan, learned counsel for the petitioner submits that the Chairman of the Taluk Land Board had assured to the petitioner that the petitioner will be informed about the next posting date of the case when he appeared last time which was on 14.05.98 and that it was without issuing any notice to the petitioner that the Taluk Land Board issued the impugned order. The learned Government Pleader would submit that it was the duty of the petitioner to have checked up with the office of the Taluk Land Board about the posting date. I do not propose to settle the above controversy. But the important aspect is that the impugned order has been passed without hearing the petitioner. Accordingly, I set aside the impugned order and remand the case back to the Taluk Land Board. The Taluk Land Board will issue notice to all affected parties and take a fresh decision in accordance with law. It is open to the petitioner to raise all grounds which are available to him before the Taluk Land Board. The order of stay will continue till such time as the Taluk Land Board takes a fresh decision.

PIUS C. KURIAKOSE, JUDGE

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